

11-23-01

Atty. Dkt. No. 071949-104

RCE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: BUECHLER et al.

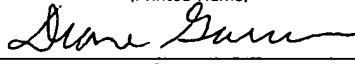
Title: NOVEL METHODS FOR THE
ASSAY OF TROPONIN I
AND T AND COMPLEXES
OF TROPONIN I ADN T
AND SELECTION OF
ANTIBODIES FOR USE IN
IMMUNOASSAYS

Appl. No.: 09/349,194

Appl. Filing Date: 06/07/1999

Examiner: Gabel

Art Unit: 1641

| | |
|---|-------------------|
| CERTIFICATE OF EXPRESS MAILING | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, Washington, D.C. 20231. | |
| EV003595493US | 11-20-01 |
| (Express Mail Label Number) | (Date of Deposit) |
| Diane Garcia | |
| (Printed Name) | |
|  | |
| (Signature) | |

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Assistant Commissioner for Patents
Box RCE
2900 Crystal Drive
Arlington, VA 22202-3513

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

☒ [X] Please enter and consider the amendment/reply previously filed on
9-21-01.

11/26/2001 HVUON61 00000036 09349194

01 FC:279

370.00 CP

- ☐ Please consider the Affidavit(s)/Declaration(s) previously filed on ___ but not considered.
- ☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on 9-21-01.
- ☐ Other ___.

b. Enclosed are:

- ☐ Amendment/Reply.
- ☐ Affidavit(s)/Declaration(s).
- ☐ Information Disclosure Statement.
- ☐ Form PTO-1449 with copies of ___ listed reference(s).
- ☐ Other .

Miscellaneous:

- ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ___ months.

The filing fee is calculated below:

| | Claims as Amended | Previously Paid For | Extra Claims Present | Rate | Fee Totals |
|--|-------------------------|------------------------|----------------------------|-----------|------------|
| RCE Fee 1.17(e) | | | | \$740.00 | \$740.00 |
| Total Claims: | — | 75 | = 0 | x \$18.00 | = \$0.00 |
| Independents: | 9 | 15 | = 0 | x \$84.00 | = \$0.00 |
| First presentation of any Multiple Dependent Claims: | | | + \$280.00 | = | \$0.00 |
| CLAIMS FEE TOTAL: | | | | | = \$740.00 |

☐ Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

| | | | |
|---------------------------------|---|------------|----------|
| <input type="checkbox"/> | Extension for response filed within the first month: | \$110.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the second month: | \$400.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the third month: | \$920.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the fourth month: | \$1,440.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the fifth month: | \$1,960.00 | \$0.00 |
| EXTENSION FEE TOTAL: | | | \$0.00 |
| CLAIMS AND EXTENSION FEE TOTAL: | | | \$740.00 |
| <input type="checkbox"/> | Small Entity Fees Apply (subtract ½ of above): | | \$370.00 |
| <input type="checkbox"/> | Suspension of action requested under 37 C.F.R. § 1.103(c) | | \$0.00 |
| TOTAL FEE: | | | \$370.00 |

☒ A check in the amount of \$370.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date November 20, 2001

By Michael A. Whittaker

FOLEY & LARDNER
Customer Number: 23620

23620

23620

PATENT TRADEMARK OFFICE

Telephone: (858) 847-6721

Facsimile: (858) 792-6773

Michael A. Whittaker
Attorney for Applicant
Registration No. 46,230